

JAMES GORDON BENNETT,

PROPRIETOR AND EDITOR.

OFFICE N. W. CORNER OF FULTON AND NASSAU STS.

TERMS: Cash in advance.

THE WEEKLY HERALD, every Saturday, at \$4 per annum.

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The Art Union. The trial of John W. McAlpin, for embezzlement, occupied the remainder of that day and the next (Thursday). It terminated in a conviction, one of the witnesses for the defense being a young lad named William McAlpin, who was convicted of high larceny, together with a young man named McAlpin. They were sentenced to the State Prison. The trial of Edwin W. McAlpin, charged with forging his employer's name to a check for \$200, was postponed until the 10th inst. The case of Geo. Bowne, indicted on Monday, for the extensive bank robbery, was called on, but postponed again till the 10th inst. The Court sits to-day for the disposal of matters of law before it, among which is a demurrer to the indictment against the Commissioners of Emigration, which stands for argument. The great press of important political news has hitherto unavoidably excluded our full reports.

The report in favor of the Wall street ferry was last evening adopted by the Board of Assistants, notwithstanding the veto of the Mayor. The Board concurred in an ordinance for an additional appropriation for real estate. The appropriation was \$300,000 dollars for the year, and purchases made amount to \$100,150, of which \$103,450 is for the new city cemetery on Ward's Island, and \$121,150 further is required for police stations and engine houses. They also concurred in an appropriation of \$5,000, expenses of entertaining the officers of the Dutch frigate Prince of Orange.

The steamer Baltic, with four days' later news, may be expected to-day or to-morrow.

#### The Crisis of the Whig Party.

The action of the convention which will meet next week at Baltimore, to nominate candidates on the great political issues before the country, will determine the life or death—the future prosperity or sudden explosion—of the whig party of the United States. This party has now been over twenty years in existence, since the organization was first started by the conservative revolt from Tammany Hall, which took place previous to the election of 1832. It was a party consisting of the bulk of the intelligence, wealth, and property of the country—mostly in the Northern and Middle States—which first reached power in 1840, by the defection from Van Buren, and the utter unpopularity and imbecility of his administration. In the year 1844 the whig party was defeated by the union of the democrats, and particularly of the Van Buren democrats of New York—principally, indeed, by the first great defection of the anti-slavery factions. In 1848 the whig party was triumphant, principally by the revolt of both the Van Buren. And now we have the singular spectacle of the democrats again rising into power, over the errors of the old Van Buren, by the rampant enthusiasm and the wonderful swallowing powers of the young Van Buren, who has bolted the Baltimore nomination and platform at one profound, everlasting gulf.

The action of the convention to be held in Baltimore next week, will determine the final life or death, continuance or extinction of the whig party, for good and for all. They have now reached, in the course of twenty years, that point in their history and progress from which they must either become positively and uncompromisingly a national and a Union party, or a sectional, one-sided, agitating, and nervous faction, led by Seward into insubordination and defeat. The anti-slavery issues of the present day are the great issues before the country. The anti-slavery sentiment is the great evil that has afflicted this country for the last twenty years. And the approaching election will bring the whole American mind, and intelligence, and sentiment, to decide whether the fanaticism of anti-slavery is to be put down forever, or whether it is to put down the Union, override the constitution, and destroy the fair fabric of the republic.

The Whig Baltimore Convention will have to decide not only on the man as a candidate, but on the principles and platform; and any evasion of the latter, under the mantle of the former, will only be the more certain to consign them to oblivion, contempt, and final destruction. They have already three great candidates before the country, besides many great unknown ones—unmannered, prodigious in their talent, and powerful in their popularity. These are Gen. Scott, Daniel Webster, and President Fillmore; the first a great warrior, the second a great statesman, and the third a great newspaperman, and the Seward men say. Apparently, the contest is between the first and the last—Scott and Fillmore; but really and truly the contest of principles and power lies between Gen. Scott, their great warrior, and Mr. Webster, their great statesman. If one of these be not nominated, they must go to some fourth personage, yet unknown and unnamed. But, above all, if the whig party, in this convention, do not come up to the mark on the Compromise platform, and declare firmly and boldly their sentiments on the great anti-slavery issues now before the country, they may rely on it that whatever be the fate of the election, the whigs, as a party, will be forever demolished and discredited, and scattered to the four winds of heaven.

As most instructive intelligence to both parties, we give our readers elsewhere in our columns, the movements of the several anti-slavery factions in the Northern States—both in New England and New York—together with certain views and recommendations by the whigs themselves, in respect to their candidates. It will be seen, from these documents and these movements, that the idea which has been held forth to the Northern whigs by the Seward journals, of their prospects of receiving votes from the anti-slavery faction, to aid and assist in the election of Gen. Scott, or any other man, is utterly false and delusive, and beyond the possibility of accomplishment. All the factions of anti-slavery—radical, uncompromising, and revolutionary in its nature—are now concentrating their plans and collecting their forces for a general onset at the next election, in opposition both to whigs and democrats alike. The whig convention can procure no votes from that quarter by abandoning any principles of nationality, or sacrificing any of their best candidates. It would be bolder, and nobler, and holding out better chances of success, for them to plant themselves firmly and deliberately on national ground—on Union ground—on Compromise ground—and to take for their standard and banner, at once, with all the chances, one of their ablest men—some such man as Mr. Webster—even in preference to Scott or any such candidate; for the days of military humbug are past and gone.

**SYMPTOMS OF THE CONTEST.**—General Wool was not far wrong, when, in his letter to Captain Scott, of Virginia, he expressed a desire to avoid the terrible abuse, of private and public character, which political contests in this country bring out from the unprincipled and reckless political partisans. The party newspapers are beginning to call names, before they get on their coats and pantaloons to join the rush. Here are two very curious specimens, from that paragon of morality and decency, the New York Tribune. The first is a brief description—and such a description!—of General Pierce, the democratic candidate; and the next is the first paragraph of an article describing the democratic ratification meeting—

"Not a man in Concord could believe it. What an ideal! Frank Pierce—the hero of many a what-for battle!—a candidate for the Presidency of these United States! He is a superior lawyer, and can like Chateau, exercise a mighty influence upon the jury. As for the democratic party, when reduced to such a state of weakness, never can be elected. A more humorous, dissipated man never walked our streets. He was obliged to leave Washington, when a Senator there, because he was almost continually intoxicated." Thus much for the democratic candidate for President.

"Locomotive, omnibus, powder, torches, Roman candles, and fireworks—these things were about last night, and the three R's—Rascals, Rum and Rowdiness—were rampant."

By this it seems that the philosophers of the Tribune are perfectly satisfied that the democrats and their candidates are all run-heads and low-bred drunkards. And moreover, we suppose they will soon publish affidavits, and give plenty of evidence, showing

that the democratic candidates and democratic leaders have all been guilty of robbery, murder, seduction, stealing, and every felony in the calendar. These are the natural productions of rum, and the Tribune has begun at the proper end when they denounce their adversaries as rum heads.

**THE ART UNION CASE DECIDED TO BE ILLEGAL AND UNCONSTITUTIONAL.**—By reference to our law reports, it will be seen that the Judges of the Supreme Court have at length decided the knotty question whether a lottery is a lottery, or a lottery is not a lottery; and this high court of judicature have given their decision in the affirmative. Henceforth it will be set down among "the wise saws and modern instances" that a lottery is a lottery; and moreover, a violation of judicial wisdom will probably and this dictum of the new code. A manerich some future.

Of the three Judges—have a majority of the Court—two are illegal and unconstitutional. Mitchell and Roosevelt—one a constitutional. Mitchell and Roosevelt are the two whigs, and the other a democrat—the Art Judges who have decided against the Art Union. Judge Mitchell has given his reasons in length, and Judge Roosevelt expresses his concurrence with him. Judge Edwards, who entertains a contrary opinion, has also given the grounds of that opinion; but we doubt much whether, on reading it, any person will be convinced that a lottery is not a lottery. Had Judge Edwards pronounced such an opinion, we would not have been surprised, for either "the world's sister," or the knocking spirit, might have operated upon him; but we had looked for a more sensible thing of Judge Edwards, young man though he be.

The judgment of the Court, pronounced by Judge Mitchell, cuts up that principle by the roots. "The good object," he says, "which men have in view, often diverts their attention from an examination of the means which are used for that object." As an instance of this, the Court adverts to the case of the professed gambler, who is regarded as the pest of society by men of good character, who do not consider it inconsistent with their good character to play for very small sums; and though in this they violate a known law, they are not influenced by a base pecuniary motive. The object of members of the church bringing their wives and daughters into the ice cream saloons is very good, yet they contribute to a great evil by the sanction of their example.

The following extract contains the pith of the whole matter:—

"The lottery is less an evil because a large proportion of the profits is to be applied for a good purpose. All lotteries which the Legislature ever sanctioned were probably for such purposes, and were at least not intended by the Legislature which sanctioned them. Some were to promote the cause of charity, some of literature, and some of religion. Yet all were intended to be immediately condemned, both by the constitution of 1821 and that of 1846.

The constitution of 1821 provides that 'no lottery shall hereafter be authorized in this State.' This is admitted by Judge Edwards himself, who says:—

"It will be seen, by reference to the statutes which existed previous to the adoption of the constitution, that the Legislature had passed a general law declaring that every lottery other than such as had been authorized by law should be deemed unlawful and a common nuisance. (Laws of N. Y., p. 295, 1.) The demoralizing effect of lotteries was felt and acknowledged at that time to such an extent that it was deemed expedient to make all persons engaged in promoting them the subjects of punishment. But they were in some instances specially authorized by the Legislature. In reference to what was supposed to be the public good, and sometimes for charitable and religious objects. But in the constitution which established the constitution, the preservation of the morals of the community was deemed paramount to all other considerations, and the Legislature was empowered to power to authorize or sanction any lottery by the fundamental law of the State.

But Judge Edwards stumbles over the word lottery. He says the difficulty is to determine what a lottery is—in other words, whether a lottery is a lottery or is not a lottery. Judge Mitchell helps him to a right conclusion on this point, by showing from the Revised Statutes that the provisions of the law on "raffles and lotteries," are not confined to the offenses technically so called, but forbid any one setting up or proposing any money, goods, chattels, &c., to be distributed by lot or chance, to any person who shall have paid any money for the chance of obtaining such article. Thus this matter is set at rest, we hope forever; and the decision at which Recorder Tillou long since arrived, when the New York Herald was indicted for denouncing as illegal, unconstitutional, and immoral, the Art Union and its management, is now fully sustained by the Supreme Court. The Recorder deserves all praise for his clear head in interpreting the law, and his moral courage in giving that interpretation to the law. The Art Union committee were defeated then—they are now completely overthrown.

We are sorry for the Art Union managers. For the gentlemen constituting the Committee of the Art Union—particularly Mr. Corzens, the President—we have always entertained much respect; not so for the abolition newspaper portion of them. But they permitted themselves to be led astray by ignorant and presumptuous advisers, who said, "We care for the opinions of the Herald!—Down with it." But when the Herald, or any honest, fearless, and independent paper, is right, it cannot be put down, and will always come out triumphant. Mr. Corzens, and those other gentlemen, committed an egregious mistake, and we suppose that they are now sorry for it, or they ought to be. We are willing to forgive the repentant sinner, and therefore have no objections to take them into our good graces again—always excepting the clique of the little penny paper concern.

This decision, however, involves other considerations besides a triumph of the liberty of the press, and it is far more important than at first blush might be supposed. For some time past certain members of the legal profession, and a certain class of educated speculators, have been sapping the foundations of the constitution of the State in a variety of ways. To satiate the cravings of avarice, corruption, and ambition, speculations of the most extensive nature have been set on foot, organized, and carried out, to plunder the tax paying community. One of the most flagrant examples of this wholesale corruption was the illegal appropriation of nine millions of dollars for the canal enlargement, which developed a system of fraud that startled the whole country. At the time, this iniquity was denounced, not only as a plunder of the public money, but as illegal and unconstitutional; and by the pure and upright decision of the Court of Appeals, the opinion of the honest portion of the community was sustained, and the foul corruption effectually rebuked.

This Art Union concern was of the same type, but only on a smaller scale. The same unhappy spirit of illegality prevailed in the organization of both transactions. The alleged motive, in both cases, is good. In the case of the canal, it was to increase the facilities of transport—to develop the resources of the State; in the case of the Art Union, to promote the fine arts in this country; but the means were bad and immoral in both instances, and neither law, morality, nor religion, would sanctify such transactions.

## POSTSCRIPT.

TWELVE DAYS LATER FROM CALIFORNIA.

ARRIVAL

OF THE

STEAMSHIP ILLINOIS,

With \$1,500,000, Five Hundred and Twenty-five

Passengers, and the Mails.

GREAT SLAUGHTER OF INDIANS.

The steamer Illinois, Lieut. H. J. Hartstein, arrived this morning with advices from San Francisco to May 24 being twelve days later than previously received.

The Illinois left Aspinwall on the night of the 4th inst., making the run in seven days and five hours—the quickest ever made. She brought \$1,500,000, 525 passengers and the mails.

The Sierra Nevada sailed from Aspinwall June 3d for New York via Kingston. The Illinois passed her off St. Domingo on the 7th inst.

The steamer Oregon had arrived at Panama with 384 passengers; the steamer New Orleans with 80, and the clipper ship Reindeer with 100, making in all 564. The Illinois brought away 625 of the above.

The Panama railroad had been extended four miles, and in two weeks more it would be extended two miles further, bringing it out to the crossing a few miles below Gorgona.

There had been a great slaughter of Indians on the south fork of the Trinity river. One hundred and fifty were killed at one time. The Indians had murdered a Mr. Anderson.

Amazed is the

SPECIE LIST PER STEAMSHIP ILLINOIS.

Adams & Co.	\$445,785	De Ram & Moore	5,190
Am. Exchange Bk.	390,000	J. Bloomfield & Co.	5,000
Burgoyne & Plume	130,000	G. P. Morrison	5,000
Wm. A. Briggs	35,000	Richmond & Reynolds	4,802
Am. Bank	25,000	A. H. Lissack & Co.	4,800
Colliers & Co.	21,376	Robert & Nickerson	3,785
Brown Bros. & Co.	18,408	Johnson & Lowden	4,000
Drexel & Co.	17,600	W. Chapman & Co.	4,000
S. F. Hurl & Co.	17,037	Perit & Taylor	3,480
John E. Lodge	15,600	J. Rosenthal & Bros.	3,185
Paul T. Wiles	12,500	Order	3,000
P. F. Southworth	11,808	W. G. Leonard	2,500
T. Watson & Son	11,350	Order	2,024
Wells & Fargo	10,200	H. H. South	2,000
Newhouse & Spaltz	10,000	Mandelbaum & Co.	2,000
Reed & Wade	10,000	G. T. Robbins & Son	1,700
A. Ray	10,000	J. Brunner	1,600
Am. Valenburgh	10,000	Louis Nugent	1,600

The details of the news will be given in our evening edition.

**THE PRINTING OF CONGRESS.**—We expect to see the knotty question which has engaged both houses of Congress for such a length of time during the present session, taken up again in a very short time, and some decided action had upon it in reference to the newspapers at Washington. Hitherto the compromise whigs and the compromise democrats endeavored to get up a coalition in favor of giving the printing of Congress to the Union and the Republic newspapers. But this would not take, and will take less now than ever. The influence of the recent important doings in the Baltimore Convention will soon be felt in Congress, particularly on the subject of printing, as well as on many other matters of the like kind. We expect, therefore, to see a perfect union completed between the different sections and factions of the democrats, in both houses, and the printing of Congress given, in certain proportions, to the Union and the Southern Press newspapers—the two organs of the different sections of the democratic party. These journals want food and raiment, and the important character of the approaching contest will render it necessary for their friends to stand with some of the tools of trade.

We are against all this system of Congressional patronage, which is only another name for buying and selling. Congress should establish a printing department in the government, independent of all newspapers at Washington, and leaving journalism to take care of itself throughout the country, they should print and publish their own documents, and their own national organ, in such a way as to give dignity to the government. But we do not expect this mode will be adopted in the approaching struggle for the Presidency. The nominations of Pierce and King, and the very good platform which the Baltimore Democratic Committee has put forth, will, however, soon produce corresponding unanimity in Congress, on a variety of important points.

**Court Calendar—This day.**

UNITED STATES DISTRICT COURT—Motions continued. Special Term. In general term room, at 12 o'clock, before Judge Roosevelt.

Supreme Court—Motions in General Term. Common Pleas—Term 1—Nos. 665, 1177, 1179 to 1217, inclusive (all odd numbers). Term 2—Nos. 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750.

"The Sachem" is published this morning. Newsboys, carriers, and news agents supplied by it to 10 o'clock, at 21 Nassau street. Edited and sold, No. 100 Nassau street. News subscription list will be received.

We respectfully call the attention of our readers to an article published in this paper, headed "Recollections of the late General Taylor." It is a very interesting and valuable contribution to the South, who has just visited Lake Erie, to select a site for a fortification. It is a very interesting and valuable contribution to the South, who has just visited Lake Erie, to select a site for a fortification.

A fact, established beyond a doubt, that the favor of real genuine Havana cigars, such as can be obtained at JAMES SADDLER'S, No. 107 Broadway.

The Cause of Gray Hair is a sudden or gradual paralysis of the roots. FAY'S Balm will remedy this, and by a peculiar action upon the coloring matter, restore the hair to its natural color. It is a very interesting and valuable contribution to the South, who has just visited Lake Erie, to select a site for a fortification.

Baldness and Gray Hair.—By the use of this hair oil, the hair will grow again, and the hair will be restored to its natural color. It is a very interesting and valuable contribution to the South, who has just visited Lake Erie, to select a site for a fortification.

H. T. Love's Wagon, will certainly restore gray hair to its original color, and cure dandruff. It is a very interesting and valuable contribution to the South, who has just visited Lake Erie, to select a site for a fortification.

The Queen's Life Guards, in London, are celebrated for their thick, heavy moustaches—Graham's Ointment will produce whiskers and moustaches in six weeks. It is a very interesting and valuable contribution to the South, who has just visited Lake Erie, to select a site for a fortification.

The most astonishing results are being produced by the use of GILMAN'S Hair Dye. It is a very interesting and valuable contribution to the South, who has just visited Lake Erie, to select a site for a fortification.

Gilman's Liquid Hair Dye is the only hair dye now in the market, and it is a very interesting and valuable contribution to the South, who has just visited Lake Erie, to select a site for a fortification.

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and will not admit a single block of the vulgar Perrine. The Bowery boys will then be looked up to as the leaders of fashion and directors of law, and will not permit their prominence to be defied by the contemptible appearance of the habits of Broadway.